

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WELTON ENTERPRISES, INC.,
WELTON FAMILY LIMITED PARTNERSHIPS,
3PP PLUS LIMITED PARTNERSHIP, and
HY CITE/WELTON, LLC,

Plaintiffs,

v.

ORDER

13-cv-227-wmc

THE CINCINNATI INSURANCE COMPANY,

Defendant.

While plaintiffs' letter response to the court's May 6 Order regarding diversity jurisdiction is appreciated, it appears from both their amended complaint and that response that a question as to subject matter jurisdiction still remains. Much as this court might be willing to permit the case to proceed pending the submission of expected, competent proof of the citizenship of PEP Hy Cite Investments, L.L.C., it is a court of limited jurisdiction and, as the Seventh Circuit has oft reminded lower courts such as this one, has no authority to proceed further absent proof of jurisdiction. To avoid wasting the court's and the parties' time by proceeding with a case that may ultimately be dismissed for lack of jurisdiction, plaintiffs may have thirty (30) days to either: (1) confirm PEP's citizenship (and amend their complaint accordingly); or (2) voluntarily dismiss this case (and refile in state court, should they so choose, where jurisdiction is assured).

Entered this 31st day of May, 2013.

BY THE COURT:

_____/s/_____
WILLIAM M. CONLEY
District Judge